

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

MICHAEL DUETT,

:

Petitioner,

Case No. 1:19-cv-725

- vs -

District Judge William O. Bertelsman  
Magistrate Judge Michael R. Merz

WARDEN, Noble Correctional Institution,

Respondent.

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 20), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting no objections were filed thereafter, and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

It is hereby ORDERED that Respondent's Motion to Alter the Judgment under Fed.R.Civ.P. 59(e)(ECF No. 19) is GRANTED. An amended judgment shall enter dismissing the Petition with prejudice. The amended judgment shall also say Petitioner has been denied a certificate of appealability and certified that an appeal would not be taken in good faith.

November 30th, 2020.



**Signed By:**

**William O. Bertelsman** *WOB*

**United States District Judge**